

REMARKS

Claims 1-41 are pending in the present application. Claims 1-22 have been amended. Claims 23-41 are new. Claims 1, 21, and 22 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

Initially, Applicant points out that the apparatus claims (claims 1-21) have been amended to remove the “means” language in order to disavow any intent to invoke the provisions of 35 U.S.C. § 112, sixth paragraph.

Rejection Under 35 U.S.C. § 103

Ihara/Strasnick Rejection

Claims 1, 3, 4, 10, 11, 17, and 19-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,336,073 to Ihara et al. (hereafter “Ihara”) in view of U.S. Patent No. 5,861,885 to Strasnick et al (hereafter “Strasnick”). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

I. Synopsis of Ihara:

Ihara’s invention provides a standard communications protocol between information terminal devices 100 and information service centers 350, 360, 370 (abstract; Fig. 1). According to Ihara, an information terminal device can request the information service centers to search for candidate points of interest (POIs) based on a keyword entered by a user (col. 9, lines 50-60). After receiving the search results from the information service centers, the information terminal device allows the user to select one of the candidate POI’s as a destination (col. 12, lines 45-48). The information terminal device finds a route to the selected destination, and displays route guidance to the user (col. 6, lines 1-6; Fig. 6). According to Ihara, the guidance screen may display a planar vector map (Fig. 13, right halves of Fig. 15(a) and (b))), and/or a bitmap image of a local map with detailed POI (left halves of Figs. 15(a) and 15(b)). However, as best

understood by Applicant, Ihara does not provide any explicit disclosure as to how to switch between such planar vector map and bitmap image.

II. Synopsis of Strasnick:

Strasnick discloses a system and method for displaying a three-dimensional navigable display space containing a set of graphical objects representing **pieces of data** (e.g., data files, database cells). The purpose of this is to allow a user to browse or search the different types of data stored in a computer system by moving around or navigating within the three-dimensional display space. As the user moves within the space, the perspective and view of the displayed graphical objects are altered accordingly. See abstract; col. 4, lines 45-58; col. 5, lines 39-48; col. 6, lines 26-33.

Strasnick further teaches that text drawn using a three-dimensional font may be included in the display space in order to label the types of data represented by the various graphic objects. According to Strasnick, this text may rotate to accommodate changes in the user's perspective as the **user moves around the display space**. See col. 19, lines 31-39.

III. Ihara and Strasnick Fail to Teach or Suggest Every Claimed Feature

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Applicant respectfully submits that Ihara and Strasnick, taken separately or in obvious combination, fail to teach or suggest every feature of the claimed invention.

1. Neither Ihara nor Strasnick teaches or suggests allowing a user to select between modes for displaying a map two-dimensionally and three-dimensionally:

Independent claims 1 and 21 recite “setting a display mode **selected by a user** from a plurality of **selectable display modes** [which include] a mode for displaying a map two-dimensionally and a mode for displaying a map three-dimensionally.” Independent claim 22 recites “receiving via a user input device a **user selection** of a display mode of facilities from a

plurality of **selectable display modes** [which include] a modes for displaying facilities as a moving picture and a mode for displaying facilities as a still picture. Ihara and Strasnick, taken separately or in obvious combination, fail to teach or suggest that a **user** is able to **select** between modes for displaying a map two-dimensionally and three-dimensionally, or between modes for displaying facilities as a still picture or moving picture.

The Examiner cites to Figs. 13 and 15 of Ihara as teaching different selectable display modes (see Office Action at page 3). However, even assuming *arguendo* that Fig. 13 illustrates a mode of displaying map/facilities in a two-dimensional still image, while Fig. 15 illustrates a mode for displaying the map/facilities in a three-dimensional moving image, there is no express or implicit teaching Ihara that the **user selects** between such modes. The portions of Ihara cited by the Examiner neither teach nor suggest that the user is able to switch between the modes of Figs. 13 and 15.

Furthermore, Strasnick does not teach or suggest allowing a user to select between modes for displaying a map two-dimensionally and three-dimensionally, or between modes of displaying facilities in a still or moving image. Strasnick is dedicated to one display mode, i.e., displaying a three-dimensional display space for navigating data.

Therefore, Ihara and Strasnick, taken separately or in obvious combination, fail to teach or suggest setting a display mode which is selected by a user from modes including a mode for displaying a map two-dimensionally and a mode for displaying a map three-dimensionally, as presently claimed.

2. Neither Ihara nor Strasnick teaches or suggests rotation by a preset amount which the same regardless of user's location:

However, without conceding the appropriateness of this rejection, Applicants have amended claims 1 and 22 to further distinguish over Ihara and Strasnick, in an effort to expedite prosecution. Specifically, independent claims 1 and 22 have been amended to more recite that the moving picture automatically rotates the three-dimensional image of the identified facilities

“by a preset amount” which is the same “regardless of the user’s geographical location while the moving picture is displayed.”

The Examiner admits that Ihara does not explicitly disclose rotating a three-dimensional display (see Off. Act. at page 3). Thus, the Examiner cites to col. 19, lines 32-39 of Strasnick as teaching the rotation of a three-dimensional image.

However, the cited portion of Strasnick merely discloses that text labels are rotated “to accommodate changes in the user’s perspective” as the user moves around within the display space. Such rotation is **not** “by a preset amount” as claimed. Further, even if it were obvious to import such teaching of Strasnick into Ihara’s invention, it would result in a rotation which is **dependent on the user’s location**, because it is dependent upon the user’s current perspective.

As such, Ihara and Strasnick, taken separately or in obvious combination, fail to teach or suggest a moving picture which rotates the three-dimensional image of the identified facilities by a preset amount, which is the same regardless of the user’s geographical location while the moving picture is displayed, as presently required by independent claims 1 and 22.

III. Strasnick is Non-Analogous Art Under § 103

Applicant further submits that the Examiner’s reliance on Strasnick is improper because Strasnick does not constitute analogous prior art under § 103. This is because Strasnick is neither within the technical field of Applicant’s endeavor, nor reasonably pertinent to any need or problem within Applicant’s field of endeavor (see MPEP § 2141.01(a)).

To clarify the field of endeavor of the claimed invention, Applicant has amended claims 1, 21, and 22 to recite that “the map illustrates a route from a present geographical location of the user to the point of interest” and “the identified facilities comprise at least one physical object having a fixed geographical location at the selected point of interest.”

Accordingly, the field of endeavor of the claimed invention relates to the navigation between **geographical locations**. The claimed invention further addresses the problem of

displaying images of **tangible facilities** situated in the geographical region illustrated by such map, without requiring troublesome operation by the user.

Conversely, Strasnick provides a graphical display space for use in the navigation between different types of **data** stored in a computer system. Strasnick has **nothing to do** with navigating between real world **geographical locations**. Further, Strasnick only displays graphical objects representative of **intangible data**, not actual tangible facilities.

At least for this reason, Applicants respectfully submit that Strasnick is non-analogous art for purposes of § 103. Accordingly, the Examiner's reliance on Strasnick is improper, and this rejection should be withdrawn.

IV. This Rejection Should be Withdrawn

At least for the reasons set forth above, Applicant respectfully submits that independent claims 1, 21, and 22 are allowable over Ihara and Strasnick. Accordingly, claims 3, 4, 10, 11, 17, 19, and 20 are allowable at least by virtue of their dependency on allowable independent claim 1. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Other Rejections:

Claim 2 stands rejected under § 103(a) as being unpatentable over Ihara and Strasnick, and further in view of U.S. Patent Application Publication No. 2003/0163251 to Obradovich et al. (hereafter "Obradovich"). Claims 5-9 stand rejected under § 103(a) as being unpatentable over Ihara and Strasnick, and further in view of U.S. Patent No. 6,611,753 to Millington (hereafter "Millington"). Claims 12, 14, and 16 stand rejected under § 103(a) as being unpatentable over Ihara and Strasnick, and further in view of U.S. Patent Application Publication No. 2004/0204849 to Shipley (hereafter "Shipley"). Claim 13 stands rejected under § 103(a) as being unpatentable over Ihara and Strasnick, and further in view of U.S. Patent Application Publication No. 2002/0150304 to Ockman (hereafter "Ockman").

Applicant respectfully submits that none of Obradovich, Millington, Shipley, and Ockman remedies the deficiencies of Ihara and Strasnick set forth above in connection with independent claim 1. Obradovich is relied upon merely for alleged teachings of voice activation of map instructions (see Off. Act. at page 8). As to Millington, this references teaches rotating the perspective view of an intersection based on the complexity of that intersection (col. 1, lines 31-39; col. 3, lines 47-59), not by a preset amount. Shipley is merely relied upon for alleged teachings of deemphasizing the surroundings of a facility (see Off. Act. at page 9). Ockman is merely relied upon for alleged teachings of displaying a background in monochrome (see Off. Act. at page 10).

Conclusion

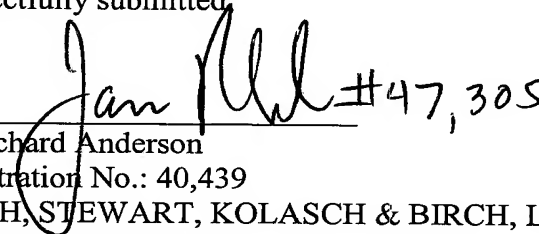
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 18, 2009

Respectfully submitted

for By 
D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant